

**USAID Semiannual Report
UKRAINE
Cooperative Agreement No. 121-A-00-99-00715-00
January 1 – June 30, 2001**

SUMMARY

From January 1 through June 30, 2001, the National Democratic Institute for International Affairs (NDI) continued to help its civic partner, the Committee of Voters of Ukraine, maintain its volunteer base, develop its fundraising capacity and mount effective advocacy and public education campaigns. This report will cover only NDI's work with CVU. Funds from this cooperative agreement covered only CVU's subgrant and most salary and benefit costs for civic trainer Joanne Pugh. Ms. Pugh devoted the majority of her time to CVU, with limited training for other civic groups. NDI has reported on her activities with other civic groups, as well as on its parliamentary and political party program, in its quarterly reports on its CEPPS grant number AEP-95-A-00-00038-00.

NDI's activities during this period correspond to USAID Strategic Objective 2.1: "Better-informed citizens' participation in political and economic decision making."

II. BACKGROUND AND CONTEXT:

Since Ukraine gained independence from the Soviet Union in 1991 thousands of new civic groups have formed, as Ukrainians took advantage of new freedom to organize. Recent political developments have re-focused attention on the potential for citizen activism in Ukraine. Many expected allegations this spring that President Kuchma was involved in the murder of a journalist would have a galvanizing effect on civil society. In the streets as well as in parliament, however, initial outrage over the government's alleged involvement in the murder and other crimes has faded. Although some civic groups have emerged to protest the government's behavior in the 'tape scandal,' neither they nor political parties have roused the Ukrainian public to push for answers and accountability from the government.

NDI's civic programming goals, the subject of this report, are long-term. The Institute continued to work primarily with the Committee of Voters of Ukraine (CVU), the election-monitoring group it helped to create in 1994. With its grassroots network CVU has the potential to build constituencies all over Ukraine who can ultimately demand greater government accountability, transparency, active citizen participation in politics, and the dominance of the rule of law

CVU was created in 1994. Using a model that worked in Central and Eastern Europe, NDI began working with group of young people interested in jump-starting a Western-style NGO. NDI brought together representatives of a student movement, human rights group and trade unions interested in monitoring Ukraine's 1994 parliamentary and presidential elections. Since 1994 CVU has grown from a temporary election-monitoring

coalition to an institutionalized, nationwide organization with permanent national and regional leadership, a strong democratic Board of Directors and active chapters in all of Ukraine's 25 oblasts and about 130 rayon (district) centers as well. CVU has expanded upon its election-related activities to define its mission more broadly as strengthening linkages between voters and government both between and during election periods. It has become one of the largest citizens' organizations in Ukraine involved in legislative advocacy and public education of voters.

NDI has worked closely with CVU since its founding to develop both its programs and its organizational structure. NDI has sought to create an independent organization with a Board capable of governing and a professional staff. More recently, NDI has stressed helping CVU increase its capacity to raise funds from foreign and Ukrainian donors.

III. PROGRAM ACTIVITIES:

In this period, NDI civic trainer Joanne Pugh advised the CVU national offices and branches on design of programs, fundraising and internal management issues. Major management issues in this period included requests from CVU's branches for better internal communication and from women leaders for an increased role in the organization. Program challenges included reacting to the "tape scandal" consistent with CVU's mission to promote government accountability without being partisan, and securing inclusion of a domestic monitoring amendment in draft parliamentary election laws. CVU continued to gradually increase its base of Ukrainian donors, and begin plans for fundraising for the election and pre-election period.

CVU, with NDI's assistance, focused on three areas: work with local government, legislative advocacy and monitoring and public education.

A. Local Government Programs

The Committee conducted four types of local government activities. It expanded "public hours," a combined public education and advocacy program, as well as four resource centers to support citizen involvement in local policymaking through new elected "community boards." Individual branches also undertook government accountability initiatives in individual oblasts and monitored local mayoral or council by-elections in seven cities or towns.

1. "Public Hours"

Approximately 100 CVU branches at the oblast, city and rayon level now hold "public hours." At designated days and times CVU advises individuals on how to exercise rights to receive information or services from government and how to organize to advocate for changes in public policies. CVU estimates that approximately 45,000 people have visited "public hours" in 2001.

“Public hours” are staffed by CVU volunteers, usually several in each location. In addition to verbal advice, CVU has written and distributed booklets on how to solve problems relating to receipt of pensions, rights under land privatization and other issues frequently brought to “public hours.” CVU also distributes or makes available to visitors Ukrainian laws and regulations, contact information for government offices and analysis and information about government produced by other Ukrainian civic groups and USAID contractors and grantees. In addition to the stationary public hours locations CVU now has a mobile public hours service, in which a CVU volunteer travels to a number of different villages on different days.

Individuals most often seek information on receiving delayed wages or city services like heat and water, or with complaints related to land privatization. CVU’s advice may involve, for example, explaining what fees people can legitimately be charged, or which government office to approach and which laws to cite in requesting help with a problem. CVU may help them to write letters to officials or coach them on how to hold a meeting and follow-up. Occasionally, CVU will also help a group take a case to court. When a problem involves a group of people CVU often organizes a meeting with a deputy or an advocacy campaign.

CVU has also taken advantage of the network of “public hours” to bring widespread problems to the attention of national policymakers. One of the problems CVU encounters most frequently at “public hours” is alleged government and collective farm chairmen's manipulation of land privatization. Farmers believe that local officials and farm managers ignore or manipulate the law to cheat them. In January and February, with the Verkhovna Rada preparing further legislation on privatization, CVU attempted to more systematically pinpoint weaknesses in the implementation of land reform, at the most grassroots level. CVU developed a questionnaire that its volunteers used to elicit information from more than 25,000 farmers, farm managers and local government officials about how current laws operate. CVU presented the results of its survey to the Cabinet of Ministers and the Verkhovna Rada, as well as the mass media, in June.

2. Resource Centers for Community Boards:

Ukraine’s four year-old local government law contains a provision with tremendous potential to increase political participation at the local level. It authorizes municipalities to establish boards elected by the residents of an apartment house, city block, rayon (neighborhood), village or city to represent their interests. Those at the rayon level may control permitting and authorization for land uses in their area, while the apartment house committees are more similar to condominium boards of directors in the U.S. At all levels, they represent their constituencies’ interests to government. By law “community boards” are entitled to make recommendations at meetings of city councils and city executive committees.

In July 2000 CVU started a pilot program to promote the development of community boards. It established resource centers for community boards in L’viv, Luhansk, Donetsk and Ivano-Frankivsk oblasts. In early 2001 it substituted Cherkassy for Ivano-Frankivsk

as the fourth resource center location. CVU activists in the resource centers conduct three kinds of activities: they advocate with city officials for creation of the boards; advise interested citizens on how to form a board and drafting of boards' statutes and bylaws; and they help the functioning boards identify and successfully implement projects. To support these undertakings CVU has also published brochures on government regulations on community boards, on how to set up the boards at different levels and model statutes and bylaws.

In Luhansk CVU held a series of educational seminars for civic activists and the media as well as public meetings to explain the institution of community boards. This led 14 communities to move to set up the boards. In May CVU-Luhansk, in conjunction with local deputies, organized a large seminar on the legal status of boards and on improving the work of existing boards. Throughout the period CVU's resource center in Luhansk distributed several thousand brochures on community boards and consulted with hundreds of civic activists, political party leaders and local government officials.

In Donetsk oblast, in April and May, CVU organized several seminars for both citizens and local council members to explain the new institution of community boards. One program, on May 18th, for council members from the towns of Artemivsk and Selidovo enabled a council members from a town with a community board, (Artemivsk) to share their experience with their colleagues from Selidovo. Five public hearings had been held in Artemivsk prior to that city's adoption of community boards and the Artemivsk council members endorsed this public hearing process to their colleagues. In June CVU-Donetsk facilitated a meeting between an existing community board in Ukrainsk and local government on housing issues.

In L'viv, the resource center primarily provides individual consultations to those wishing to set up condominiums. CVU also held large seminars in March and May that covered legal aspects of setting up condominiums, rights of condominiums and changes in fees for condominium owners. (Last fall, CVU was instrumental in persuading the L'viv city council to change the method of measuring energy and water use for condominiums if the condominium boards would install new meters.)

In Cherkassy, the resource center, which was established in April, laid the foundation for future work. It established friendly relations with a number of local governments, set up a database of information on "community boards" and agreed on joint projects with several existing boards.

3. Local Government Accountability

CVU continued to experiment with "government watchdog" programs. Under CVU's "100 Questions to the Mayor" initiated in Odessa last fall, program, the mayor agrees to take citizens' questions on a special telephone line and answer them on television. CVU in Poltava sponsored "100 Questions" this spring, while CVU-Ternopil continued organizing a radio call-in show to deputies. Kherson continued to visit deputies' published office hours and publicize their failure to show up. CVU-Rivne held two

popular public education meetings entitled "Protecting Oneself from Illegal Actions of the Tax Authorities."

4. Election Monitoring:

CVU monitored local council elections in L'viv, Kharkiv and Volyn oblasts, and mayoral elections in Korostyshev (Zhitomir oblast) Kaniv (Cherkassy oblast) Romny (Sumy oblast.) It also monitored a local referendum on the city's relationship to the oblast government in Slovayanogorsk, Donetsk oblast in February. CVU also sponsored candidate debates in some of these contests. In most places CVU reported on the conduct of the election and often the pre-election period, in press conferences and on its Web site. CVU's report on the Kaniv election is attached as an example.

B. Legislative Advocacy and Monitoring:

CVU waged both short and long-term campaigns for election law reform in this period. In the short run it sought to influence debate over a new parliamentary election law. The Committee's primary goal was the inclusion of a provision authorizing domestic NGO election observers. In this period the Verkhovna Rada twice passed new parliamentary election laws that were vetoed by President Kuchma. CVU worked throughout the process from initial drafting to veto message for the domestic monitor provision. CVU activists held approximately 120 meetings with deputies to urge their support. In Kyiv CVU staff met regularly with party leaders, with the Central Election Commission, the Presidential Administration, members of the Verkhovna Rada Committee on Councils and Local Self-Governance and other deputies. They also solicited letters of support from other NGOs. NDI trainers Tom Cormier, Marcin Waletski also strategized with CVU on advocacy.

With the support of Freedom House, as well as NDI, CVU has also been working towards its long-term goal of a comprehensive election code that would cover presidential, parliamentary and local elections. It would contain provisions to make the process more transparent and reduce fraud, including: a comprehensive list of all possible violations; greater responsibility for violations; provisions to limit the influence of local government officials on the outcome of elections and to abolish "closed" polling stations. The Verkhovna Rada is unlikely to consider such legislation before the 2002 parliamentary elections. By raising the issue now, however, CVU has been able to meet with deputies who it might not otherwise see because they are not concerned with the narrower question of domestic monitoring.

Late last year CVU convened a working group of NGO leaders and members of the Central Election Commission in Kyiv who wrote a 60 page "concept paper" for the Code. Between January and July CVU held numerous roundtables and conferences with political party and NGO leaders and journalists in the regions to discuss the paper.

In early 2001 CVU launched a new government accountability project called “Waiting for Fulfillment of Promises for Three Years,” timed to coincide with the third anniversary, in March, of Ukraine’s 1998 parliamentary elections. CVU sought to both remind deputies of their obligations to fulfill their campaign promises and get voters thinking about their deputies’ records before the 2002 elections. CVU sent questionnaires to all Verkhovna Rada deputies, and most local deputies on fulfillment of their campaign promises. In twenty towns they conducted informal surveys of voters’ opinions.

They determined that approximately 70% of deputies thought they had fulfilled their promises, while 50% of the voters CVU interviewed thought so. In analyzing deputies’ explanations for their failure CVU found that executive authorities tended to interfere with deputies, at all levels. CVU publicized the program through press conferences at “public hours” and at its roundtables on the Electoral Code.

(CVU did not pursue legislative changes to strengthen recorded voting requirements in the Verkhovna Rada. NDI’s extension request indicated that this would be a CVU priority. However, President Kuchma launched a well-publicized initiative to expand recorded voting. In a polarized political environment CVU feared appearing to be a partisan ally of the President if it called for the same changes at the same time. Instead, CVU continued to focus on monitoring and distributing available information on the Verkhovna Rada.)

C. Public Education

Throughout the period, CVU has had a representative in the Verkhovna Rada gallery whenever the parliament was in session. He observed and summarized debate and votes. In addition, CVU branches regularly monitor city council sessions in Vinnitsia, Lutsk, Dnepropetrovsk, Donetsk, Zhitomir, Uzhgorod, Zaporizhia, Ivano-Frankivsk, Kirovograd, Kyiv, Luhansk, Cherkassy and Chernivtsi.

Through March CVU covered events in local and national radas in its bi-monthly newspaper, Tochka Zoru (Point of View.) It continued an Internet, rather than print, version of Tochka Zoru through out the period. CVU also posted summaries of Rada debates and material from Laboratory F-4, a Ukrainian group that summarizes events and analyzes voting patterns in the Verkhovna Rada. CVU’s Web site “Political Portal of Ukraine” featuring daily Verkhovna Rada updates, as well as reference material on government agencies and functions, media outlets and NGOs in Kyiv and other oblasts. Information on the activities of local radas is posted on this site and covered by CVU’s local newsletters in Zhitomir, Luhansk, Chernivtsi, Vinnitsia, Khmelnytsky, Mykolaev and Cherkassy. The CVU oblast organizations also each have a list of press contacts to which they send material. CVU also regularly provides information to libraries in most oblasts.

CVU also moderated two large roundtables, in March and May, on current political issues. The May roundtable, shortly before the Verkhovna Rada voted to oust Prime

Minister Yuschenko, examined the influence of large economic interests, the so-called "oligarchs" on Ukrainian politics. The second program followed former deputy Prime Minister Yulia Tymoshenko's call for a referendum on President Kuchma's right to govern. It covered the history and legal status of referenda in Ukraine. Speakers at both roundtables included political party leaders, journalists and political analysts.

D. CVU Organizational Development Issues:

CVU continues to involve new volunteers in rayon centers and even villages. As the organization grows it has encountered new challenges. CVU's leadership, its staff and Board are heavily male-dominated. This spring several groups of female regional CVU leaders converged to request a larger role for women within the organization and greater attention to increasing women's political participation. NDI held an organizing meeting for a "women's CVU" in March. NDI brought in NGO organizational development expert Joe Hall. With civic trainer Joanne Pugh, he helped the women define their goals, discuss a structure for a "women's CVU" and determine its relationship to CVU proper. They decided to remain within the organization but to put forth proposals for CVU programs directed at women as voters and candidates. A small steering committee formed to draft these proposals.

In January the CVU branch in Rivne threatened to leave the organization as a means of calling attention to poor internal communication and its desire for greater autonomy for the branches. Following an investigation by a committee established by CVU's Board and numerous Board meetings, CVU Rivne's leaders did leave. The Board continues to grapple with the issues it raised, however. At CVU's request, NDI has organized opportunities for the Board to meet to discuss these issues and brought in trainers to run exercises on internal group dynamics and conflict resolution.

V. RESULTS:

A. Local Government Activities

CVU local government programs brought hundreds of new people into the organization and encouraged thousands of people to assert their rights vis-à-vis the government.

1. "Public Hours"

Between January and July 2001 CVU opened 32 new stationary public hours offices, compared to 28 in the last six months of 2000. Approximately 8000 people per month contact these offices. CVU estimates that its advice led to at least partial resolution of a problem in more than 90% of cases. Extension of "public hours" into ever-smaller towns also helps CVU build the network of volunteers it will need for election monitoring. It also spreads the message of government accountability and citizen empowerment throughout the country.

Typical public hours success stories involve people who were able to assert their rights to land or get back wages paid or reverse an illegal or arbitrary decision of an official. When an issue involves a group of people CVU may organize a meeting with a deputy or advocacy campaign or help with filing a lawsuit. Subjects of advocacy campaigns may be any issue people bring to public hours. For example, in Konotop, Sumy oblast, CVU got service restored on three bus lines. In Dnipropetrovsk CVU arranged a demonstration to protest the continued use of a closed landfill. CVU and other NGOs forced the city to make other arrangements for treatment of garbage. In Vinnitsia after receiving several complaints from businesses about local tax rates, CVU helped them organize to lobby the city council to decrease rates.

In Saki, in Crimea, CVU publicized a local council's attempt to illegally expropriate land that was about to be privatized. This publicity, combined with information from CVU's survey on land reform, described above, led the Cabinet of Ministers to organize a special investigatory commission that visited several sites in Crimea and eventually instigated criminal cases around privatization issues. Whether the resolution is through collective or individual action, public hours visitors gained a sense that they could individually or collectively assert their rights.

2. "Community Boards"

In this period CVU activists helped to establish more than 100 community boards in Luhansk, Donetsk, Cherkassy, Ivano-Frankivsk and L'viv oblasts. (The fourth resource center was in Ivano-Frankivsk from January through March and Cherkassy from April through June.). Accomplishments in the creation of "community boards" include:

- In March, CVU-Donetsk reached an agreement with government officials in Kyiv rayon, Donetsk city, to cooperate in setting up condominium boards, with the government promising to help solve problems brought to it by the boards. In May CVU reached a similar agreement with officials in Enakiyev city, Donetsk oblast.
- In April, CVU set up a "model" community board in a district in Donetsk, including helping a group compose and register the board's charter and establish a board made up of NGO leaders, university professors and government officials. CVU hopes to use this as a model for the region.
- CVU-Luhansk persuaded the Luhansk oblast council to adopt a decree on condominium boards that CVU drafted.

B. Legislative Advocacy on the Election Law:

CVU did not succeed in attaching the monitoring amendment to either of the versions of parliamentary election legislation enacted by the Verkhovna Rada in this period. The organization did manage to get a reference to the need for a domestic monitoring amendment inserted into President Kuchma's veto message on the first bill, which was sent to the Rada at the beginning of the year. Deputies on the Committee on Local Self-Governance, to which the bill was referred, even offered to work with CVU on language

giving CVU and only CVU the right to monitor. (President Kuchma has again vetoed the legislation passed by the Rada, making it likely that the current parliamentary election law, which does allow for domestic monitors, will govern the 2002 elections.)

Although CVU has so far lost this very important battle, NDI has noted in increasing sophistication in its strategy. CVU's Kyiv staff in particular is allocating its resources more rationally, by focusing advocacy on key committee members and allies in the CEC.

CVU also laid the foundations for eventual passage of a comprehensive election code. At its regional roundtables CVU collected statements of support for its vision of the Code from numerous regional political party leaders. The organization plans to use these when it advocates with deputies for the Code after the spring elections.

C. Public Education

In addition to conducting its own advocacy, CVU has sought to become a credible non-partisan, non-governmental source of information on events in the Verkhovna Rada. Approximately 25 people per day visit CVU's "Political Portal" Internet site, which carries daily summaries of Verkhovna Rada debates, as well as analysis and voting patterns. Fifteen thousand received similar information bi-monthly through CVU's newspaper Tochka Zory, through March. Besides its own regional newsletters, CVU publishes information on issues gathered in its monitoring of city radas in regional newspapers.

CVU publicized the results of "Promised and Waiting for Three Years" program, in which it polled deputies and voters through press conferences, at its roundtables on the electoral code and through its Web site.

IV. PERSONNEL

For the period of this report Tom Cormier served as Kyiv office director and parliamentary trainer. Joanne Pugh served as civic trainer, assisted by civic program officer Olena Botsko and civic program assistant Natasha Toropova.